

**Notice of Allowability**

Application No.

10/708,557

Applicant(s)

MATSUURA, TAKUJI

Examiner

Sean M. Michalski

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 7/5/2006.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>4/17/2006</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. The following is an Examiner's Amendment which places the claims in condition for allowance. The amendment clarifies the meaning of the claims. Examiner believes that this amendment clarifies the language to make it more clear. By changing the preamble and replacing the word comprising to having, more of the claim is given patentable weight.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gudrun E. Hockett on 8/18/2006.

In the claims:

Claim 1 has been amended as follows: In line 1, insert "trimmer having a" after the first "A". In line 1, insert " , said trimmer " after "device" In line 1, delete --for a trimmer that—. In line 8, insert "having" after "device". In line 8, delete --comprising--. In line 9, insert "that switches" after "mechanism", and delete --for switching--. In line 10, insert "moved to" after "the guide part is".

Claim 2 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 3 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 4 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 5 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 6 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 7 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 8 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 9 has been amended as follows: In line 1, insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 10 has been amended as follows: In line 1 insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 11 has been amended as follows: In line 1 insert "trimmer" after the first "The". In line 1, delete –safety device--.

Claim 12 has been amended as follows: In line 1, insert "trimmer having a" after the first "A". In line 1, insert " , said trimmer " after "device" In line 1, delete –for a

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trimmer that—. In line 4, insert “having” after “device”. In line 4, delete --comprising--. In line 5, insert “that switches” after “mechanism”, and delete --for switching--. In line 6, insert “moved to” after “the guide part is”.

### ***Drawings***

3. The drawings must show every feature of the invention specified in the claims. Therefore, the drive motor must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

4. The following changes to the drawings have been proposed by the examiner: adding the drive motor in conjunction with the system of the invention in one of the figures.

### ***Allowable Subject Matter***

5. Claims 1-12 are allowed.

6. The following is an examiner's statement of reasons for allowance: there is no reference or combination of references in the art of trimmers which anticipate or make obvious a cutoff mechanism which is activated by the positioning of the working part relative to the guide part. Mechanisms which cutoff a drive in response to acceleration parameters, velocity parameters, and other sensed phenomena are well known. Safety devices in general are also well known, however (as in claims 7 and 12) placing a member in between the teeth of a gear cutoff a drive train in response to a user actuated pivoting movement of a guide (handle) and working part (blade) to is not found in the trimmer art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean M. Michalski whose telephone number is 571-272-6752. The examiner can normally be reached on M-F 7:30AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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KENNETH E. PETERSON  
PRIMARY EXAMINER